

AO 91 (Rev. 02/09) Criminal Complaint

United States District Court  
Southern District of Texas

FILED

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

APR 10 2015

Clerk of Court

United States of America

v.

1) Jose Pedro MARTINEZ US YOB 1988  
2) Cassandra CASAS-Villanueva MX YOB 1997

Case No.

M-15-0543-M

Defendant

## CRIMINAL COMPLAINT

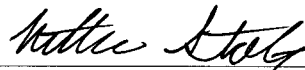
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 04/09/2015 in the county of Hidalgo in the Southern District of Texas, the defendant violated 21 U. S. C. § 841 and 846, an offense described as follows:

knowingly and intentionally possess with intent to distribute over 5 kilograms or more, that is approximately 16.34 kilograms of Cocaine, and did conspire to possess with intent to distribute over 5 kilograms or more of Cocaine, a schedule II controlled substance.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Complainant's signature

Nathan Stoltz, HSI Special Agent

Printed name and title

Approved to file Kimberly Ann Leo  
AUSA

Sworn to before me and signed in my presence.

Date: 4/10/2015City and state: McAllen, Texas

Judge's signature

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

**Attachment "A"**

On April 9, 2015, at approximately 1058 hours, a Dodge Dakota displaying Texas license plate DPN8601 arrived at the Hidalgo, Texas Port of Entry (POE). The driver, identified as Jose Pedro MARTINEZ, and the passenger, identified as Cassandra CASAS-Villanueva (MARTINEZ's sister-in-law), stated they were going to exchange some shoes and to obtain MARTINEZ's birth certificate. MARTINEZ and CASAS gave a negative declaration and were referred to secondary for further inspection.

A narcotic detector dog inspection of the Dakota produced an alert to the rear seat. A gamma-ray inspection of the Dakota revealed an anomaly in the rear seat. Further inspection of the Dakota resulted in the discovery of 15 bundles of a white powdery substance that field tested positive for the properties of cocaine concealed in a non-factory compartment behind the rear seat. The total weight of the cocaine was 16.34 kilograms.

At approximately 1220 hours, U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations, McAllen, Texas (HSI McAllen) Special Agent (SA) N. Stoltz arrived at the POE to conduct interviews and initiate an investigation. Also present during the interviews was U.S. Customs and Border Protection Officer (CBPO) N. Zarazua.

SA Stoltz advised MARTINEZ of his Miranda rights. MARTINEZ acknowledged that he understood his Miranda rights and waived them orally and in writing. MARTINEZ made the following non-verbatim statements: The Dakota belongs to his neighbor. MARTINEZ is suspicious of his neighbor and believes he smuggles narcotics. MARTINEZ didn't know why he was being detained, but if he had to guess it was because somebody put something in the Dakota. MARTINEZ has lived along the border his entire life and knows that narcotics are smuggled from Mexico into the United States and that currency and firearms are smuggled from the United States into Mexico. MARTINEZ was getting paid \$1,000 by his neighbor to drive the Dakota to the McAllen City Hall where an unknown individual was going to put approximately \$50,000 in the vehicle. MARTINEZ would then drive the vehicle to a parking lot near the Hidalgo, Texas POE and park it there with the money inside. MARTINEZ thinks his neighbor put narcotics in the Dakota and that's why he was going to pay him so much money. MARTINEZ thought there was something in the Dakota so he asked his neighbor if there was anything in it. MARTINEZ stated that he knew if there was something in the Dakota that his neighbor would not tell him the truth, but he asked him anyways to reassure himself.

SA Stoltz advised CASAS of her Miranda rights. CASAS acknowledged that she understood her Miranda rights and waived them orally and in writing. CASAS made the following non-verbatim statements: CASAS has lived near the border her entire life and knows that narcotics are smuggled from Mexico into the United States and that currency and firearms are smuggled from the United States into Mexico. MARTINEZ and an unknown male picked her up from her house in Reynosa in a small white car and they drove to a Soriana parking lot. Another unknown subject dropped the Dakota off at the Soriana and MARTINEZ compared the VIN number on the Dakota with the paperwork for the Dakota. MARTINEZ and CASAS were in the Dakota driving toward the border when they became suspicious that there were narcotics in the Dakota. They

stopped and were inspecting the Dakota and noticed one of the doors didn't match the others. This made CASAS more suspicious that there were narcotics in the Dakota. The small white car, which was following them, stopped and the unknown males told them there was nothing in the Dakota, to keep going, and to not cry about it. CASAS knew they were lying about there not being anything in the Dakota. She became nervous and MARTINEZ offered to pay her \$50 to still cross the border with him. CASAS knew there were probably drugs in the Dakota. When approaching the international bridge they stopped near the pharmacy and there was an unknown male waiting there for them. The unknown male told MARTINEZ that everything was going to be okay; to have confidence and that there was going to be more "work" for him. The unknown male also told MARTINEZ that when he gets close to the HEB in Mission, Texas to call "Joe." CASAS also stated that the unknown males provided MARTINEZ with a cellular telephone to use.

SA Stoltz contacted Assistant United States Attorney (AUSA) L. Leo and informed him of the facts regarding the case. AUSA Leo advised that federal prosecution would be accepted on MARTINEZ and CASAS.